

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA (SCRANTON)

SHIRLEY ANN SUTTER and GLEN
W. SUTTER, Wife and Husband,

Plaintiffs,

v.

CASCADES TISSUE GROUP,

Defendant.

CIVIL ACTION
NO. 3:20-cv-00182

ORDER

AND NOW, this ____ day of August, 2020, upon consideration of the Joint Motion for Extension of Discovery and Other Pre-Trial Deadlines, IT IS HEREBY ORDERED that the Motion is granted and the Order dated February 25, 2020 (Doc. No. 32) amending the initial scheduling order in this action is amended as follows:

1. Plaintiffs' expert reports must be completed and served by **October 19, 2020**.
2. Defendant's expert reports must be completed and served by **November 19, 2020**.
3. Any rebuttal reports to experts' reports must be filed within 14 days after receipt of the report unless further extension is granted by the Court.
4. Expert discovery and depositions must be completed by **December 21, 2020**.
5. Summary judgment motions must be filed by **January 21, 2021**.
6. Responses to summary judgment motions must be filed by **February 22, 2021**.
7. Replies to responses to summary judgment motions (if any) must be filed by **March 8, 2021**.
8. After summary judgment motions are ripe, the case will be stayed until disposition of the motions and further order of the Court.

/s/ John P. McShea

John P. McShea
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Attorney for Defendant,
Cascades Tissue Group

/s/ John P. Kopesky

John P. Kopesky
Shein Law Center
121 South Broad Street, 21st Floor
Philadelphia, PA 19107

Attorney for Plaintiffs,
Shirley Ann Sutter and Glen W. Sutter

SO ORDERED, this ____ day of August, 2020

BY THE COURT:

Malachy E. Mannion
United States District Judge

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**JOINT MOTION FOR EXTENSION OF
DISCOVERY AND OTHER PRE-TRIAL DEADLINES**

Pursuant to Rule 7.1 of the Local Rules of Court, Plaintiff and Defendant, by and through their respective undersigned counsel, hereby jointly move for an order extending the expert discovery deadline and other pre-trial deadlines in the above-captioned matter and, in support thereof, aver as follows:

1. On December 13, 2019, the U.S. District Court for the Eastern District of Pennsylvania entered an Order establishing an expert discovery deadline of August 17, 2020 and setting various other pre-trial deadlines. (Doc. No. 22.)

2. On February 25, 2020, after this case was transferred, this Court entered an Order amending the original Scheduling Order by extending the expert discovery deadlines, but otherwise keeping the original deadlines. (Doc. No. 32.)

3. The parties have exchanged written discovery requests and obtained discovery from third-parties by way of subpoena. The Plaintiffs' depositions and the depositions of several persons employed by the Defendant have been taken.

4. Additional time is necessary to exchange expert reports and complete expert discovery.

5. Due to COVID-19-related restrictions, other scheduling conflicts and other professional responsibilities involving counsel for Plaintiff and Defendant, additional time is needed to complete expert reports and expert discovery.

6. To allow the parties sufficient time to complete discovery, the parties hereby jointly request a sixty (60) day extension of the expert discovery and other pretrial deadlines as follows:

- a. Plaintiffs' expert reports must be completed and served by **October 19, 2020**.
- b. Defendant's expert reports must be completed and served by **November 19, 2020**.
- c. Any rebuttal reports to experts' reports must be filed within 14 days after receipt of the report unless further extension is granted by the Court.
- d. Expert discovery and depositions must be completed by **December 21, 2020**.
- e. Summary judgment motions must be filed by **January 21, 2021**.
- f. Responses to summary judgment motions must be filed by **February 22, 2021**.
- g. Replies to responses to summary judgment motions (if any) must be filed by **March 8, 2021**.
- h. After summary judgment motions are ripe, the case will be stayed until disposition of the motions and further order of the Court.

7. Granting this request for enlargement of time will not prejudice any party or unduly delay the disposition of this matter, but rather will facilitate the discovery process and enable the parties to complete necessary discovery.

WHEREFORE, Plaintiff and Defendant jointly respectfully request an Order enlarging the expert discovery period and other pretrial deadlines by a period of sixty (60) days.

Respectfully submitted,

/s/ John P. McShea
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Attorney for Defendant,
Cascades Tissue Group

/s/ John P. Kopesky
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121 South Broad Street, 21st Floor
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Attorney for Plaintiffs,
Shirley Ann Sutter and Glen W. Sutter

Dated: August 13, 2020

CERTIFICATE OF SERVICE

I, JOHN P. McSHEA, hereby certify that a true and correct copy of the foregoing Joint Motion for Extension of Discovery and Other Pre-Trial Deadlines was served upon the following counsel of record via the Court's Electronic Case Filing system on this 13th day of August 2020.

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John P. Kopesky, Esquire
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and

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/s/ John P McShea
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